

RESOLUTION 13-10

RESOLUTION APPROVING SURCHARGE TO 911 PLAN

WHEREAS, St. Clair County established a 911 Service Plan for St. Clair County (the "Service Plan") on July 22, 1992 under the authority of Public Act 32 of 1986, as amended, the Emergency Telephone Service Enabling Act (the "Act"); and;

WHEREAS, consistent with Michigan law, the Service Plan established a rate for recurring operational costs to fund the Service Plan based on the maximum charge then available of 4% of the highest monthly residential rate for residential service in St. Clair County (the "Surcharge");

WHEREAS, on May 18, 2005, the St. Clair County Board of Commissioners approved a Surcharge of \$.80 per month per subscriber to assist in funding the Service Plan;

WHEREAS, the Michigan Public Service Commission rejected St. Clair County's requested Surcharge of \$.80 per month per subscriber;

WHEREAS, the Michigan Court of Appeals vacated the Michigan Public Service Commission's decision rejecting St. Clair County's requested Surcharge of \$.80 per month per subscriber;

WHEREAS, Michigan law permits St. Clair County to assess a Surcharge at a rate approved by the Michigan Public Service Commission in the case involving St. Clair County upon approve by the St. Clair County Board of Commissioners;

WHEREAS, the current Surcharge is not sufficient to cover the costs associated with operating St. Clair County's 911 Service Plan;

NOW THEREFORE BE IT RESOLVED that in an effort to resolve the Surcharge issue with the Michigan Public Service Commission St. Clair County shall request the Michigan Public Service Commission approve a Surcharge of \$.60 per month per line and, if approved, St. Clair County would not seek retroactive application of the Surcharge.

BE IT FURTHER RESOLVED that if the Michigan Public Service Commission approves a Surcharge of \$.60 per month per subscriber the Service Plan shall be amended to authorize such Surcharge effective immediately upon approval by the Michigan Public Service Commission.

Dated: May 16, 2013



GARY FLETCHER
County Corporation Counsel
511 Fort Street, Suite 101
Port Huron, MI 48060

